

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No. 5196 OF 2022

Sumitra Kushwaha @ Sumitra

..... *Petitioner*
Mr. J.K. Panda, Advocate

-versus-

State of Odisha

..... *Opposite Party*
Mr. Anupam Rath, ASC

CORAM:
JUSTICE V. NARASINGH

ORDER
07.06.2022

Order No.
01.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is seeking pre-arrest bail in connection with T.R. Case No. 92 of 2019, arising out of Orkel P.S. Case No. 120 of 2019 pending in the Court of learned Sessions Judge-cum-Special Judge, Malkangiri for the alleged commission of offence punishable under Sections-20(b)(ii)(c) of N.D.P.S. Act.
4. Taking into consideration the nature of offence, this ABLAPL is disposed of with the observation that, the petitioner, if so advised, may surrender before the learned Sessions Judge-

cum-Special Judge, Malkangiri in connection with Orkel P.S. Case No. 120 of 2019 corresponding to T.R. Case No. 92 of 2019 with three weeks from today. In the event of his surrender and motion for bail, learned Sessions Judge-cum-Special Judge, Malkangiri is requested to consider and dispose of the bail application of the petitioner preferably on the same day, on merit in accordance with law independently without being influenced by non-consideration of prayer for ABLAPL.

5. The Case Diary shall be made available to the Learned Special Court for just consideration of the bail application filed by the petitioner and due intimation shall also be given to the Learned P.P.

6. Ground of parity, if canvassed by learned counsel for the petitioner may be taken into consideration by the learned Court below while considering the petitioner's application for bail.

7. Accordingly, the ABLAPL stands disposed of.

8. Urgent certified copy of this order be granted as per rules.

Balaram

*(V.Narasingh)
Vacation Judge*